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JS-6

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 BOARD OF TRUSTEES OF THE INLAND
11 REFRIGERATION AND AIR CONDITIONING
12 HEALTH AND WELFARE TRUST FUND
13 AND BOARD OF TRUSTEES OF THE
14 INLAND REFRIGERATION AND AIR
15 CONDITIONING RETIREMENT TRUST
16 FUND; PIPING INDUSTRY PROGRESS AND
17 EDUCATION TRUST FUND; APPRENTICE &
18 JOURNEYMAN TRAINING TRUST FUND OF
19 THE SOUTHERN CALIFORNIA PLUMBING
20 & PIPING INDUSTRY; JOINT
21 JOURNEYMAN & APPRENTICE TRAINING
22 CENTER; INTERNATIONAL TRAINING
23 FUND; AIR CONDITIONING,
24 REFRIGERATION AND MECHANICAL
25 CONTRACTORS ASSOCIATION OF
26 SOUTHERN CALIFORNIA; SOUTHERN
27 CALIFORNIA PIPE TRADES DISTRICT
28 COUNCIL 16 OF THE UNITED
ASSOCIATION; UNITED ASSOCIATION
LOCAL 364; UNITED ASSOCIATION LOCAL
398; SOUTHERN CALIFORNIA PIPE
TRADES DEFINED CONTRIBUTION FUND,

Case No. 5:16-cv-327 RGK(DTBx)

Hon. R. Gary Klausner

[PROPOSED] ORDER ON
SUPPLEMENTAL STIPULATION
FOR JUDGMENT

22 Plaintiffs,

23 v.

24 INLAND MECHANICAL SERVICES, INC.;
25 LEONEL TRUJILLO; DIANA ELISA
26 TRUJILLO and FRANCISCO MIGUEL
27 SILVA, individuals,

28 Defendants.

1 Pursuant to the Stipulation by and between Plaintiffs BOARD OF TRUSTEES OF
2 THE INLAND REFRIGERATION AND AIR CONDITIONING HEALTH AND
3 WELFARE TRUST FUND (“Health Plan”); INLAND REFRIGERATION AND AIR
4 CONDITIONING RETIREMENT TRUST FUND (“401(a) Plan”); PIPING INDUSTRY
5 PROGRESS AND EDUCATION TRUST FUND (“Pipe Fund”); APPRENTICE &
6 JOURNEYMAN TRAINING TRUST FUND OF THE SOUTHERN CALIFORNIA
7 PLUMBING & PIPING INDUSTRY (“AJTF”); JOINT JOURNEYMAN &
8 APPRENTICE TRAINING CENTER (“JJATC”); INTERNATIONAL TRAINING
9 FUND (“ITF”); AIR CONDITIONING, REFRIGERATION AND MECHANICAL
10 CONTRACTORS ASSOCIATION OF SOUTHERN CALIFORNIA (“ARCA/MCA”);
11 SOUTHERN CALIFORNIA PIPE TRADES DISTRICT COUNCIL 16 OF THE
12 UNITED ASSOCIATION (“DC16 Dues”); UNITED ASSOCIATION LOCAL 364
13 (“364 Dues”); UNITED LOCAL 398 (“398 Dues”), SOUTHERN CALIFORNIA PIPE
14 TRADES DEFINED CONTRIBUTION FUND (“401(k) Plan”) (collectively the “Plans”
15 or “Trust Funds”), and Defendants, LEONEL TRUJILLO; DIANA ELISA TRUJILLO
16 and FRANCISCO MIGUEL SILVA (“Individual Defendants”); and INLAND
17 MECHANICAL SERVICES, INC. (“Company”) subject to the approval of this Court:

18 Accordingly, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as
19 follows:

20 1. That the Company and Individual Defendants are indebted to the Plans in
21 the total amount of \$184,572.51 as follows: \$111,353.98 in audit contributions conducted
22 for the period of October 1, 2012 through March 31, 2015; \$25,635.71 in contributions
23 for the work months of April 2015 to February 2016; \$11,135.40 in liquidated damages
24 for late payment or nonpayment of the audit contributions conducted for the period of
25 October 1, 2012 through March 31, 2015; \$2,688.89 in liquidated damages for late
26 payment or nonpayment of the contributions for the period of April 2015 to February
27 2016; \$19,883.03 in interest for late payment or nonpayment of audit contributions
28 conducted for the period of October 1, 2012 through March 31, 2015; \$1,375.50 in

estimated interest for late payment or nonpayment of contributions conducted for the period of April 2015 to February 2016; and, attorney's fees in the amount of \$12,500.00.

2. Judgment is entered in favor of the Plans and against the Company and Individual Defendant, jointly and severally, in the amount of \$184,572.51 for delinquent employee benefit plan contributions, audit contributions, accrued liquidated damages, interest, attorney fees and costs, together with post-judgment interest thereon at the rate of 12% per annum as of the date of the Judgment.

3. This Court retains jurisdiction over this matter through January 15, 2018 to enforce the terms of any judgment entered hereunder, to order appropriate injunctive and equitable relief, to make appropriate orders of contempt, and to increase the amount of judgment based upon additional sums owed to the Plans by Defendants.

IT IS SO ORDERED.

Dated: May 12, 2016

Jay Krause

Hon. R. Gary Klausner